



**TOWN OF WESTFIELD
TOWN COUNCIL
REGULAR MEETING**

**Tuesday, May 12, 2020
8:00 PM**

PROPOSED AGENDA

This agenda is prepared for the information of the public. It is the order of the meeting; however, if changes in order, deletions or additions are made, they will be noted at the time.

1. Roll Call
2. Invocation
3. Salute to the flag
4. Appointments
5. Presentations
6. Advertised Hearings
 1. GENERAL ORDINANCE NO. 2170
“AN ORDINANCE FOR CALENDAR YEAR 2020 TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)
7. Approval of Minutes from Town Council Regular Meeting held April 28, 2020
8. Petitions and Communications
9. Open discussion by citizens
10. Bills and Claims in the amount of \$381,563.20
11. Reports of Standing Committees

Finance Policy Committee

1. Resolution authorizing the Chief Financial Officer to refund Recreation Department fees
2. Resolution authorizing the Chief Financial Officer to draw warrant for dog licenses for April 2020
3. Resolution authorizing the Chief Financial Officer to draw a check for the balance of escrow monies
4. Resolution authorizing the Chief Financial Officer to draw warrant for overpaid taxes in 2020
5. Resolution authorizing the Chief Financial Officer to draw warrants for 2013, 2015-2018 pursuant to Tax Court of NJ
6. Resolution to approve temporary emergency appropriations

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

1. Resolution delineating an area in need of rehabilitation in the Town of Westfield

Public Works Committee

12. Reports of Department Heads

Adjournment

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY

GENERAL ORDINANCE NO. 2170

CALENDAR YEAR 2020

ORDINANCE TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et.seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said final budget appropriations to 2.50% unless authorized by ordinance to increase it to 3.5% over the previous years final appropriations; and,

WHEREAS, a municipality may, by ordinance, bank the difference between its final budget appropriations and the 3.5% increase authorized by this ordinance when said difference is not appropriated as part of the final budget; and,

WHEREAS, the Town Council of the Town of Westfield, County of Union, hereby determines that this difference in the amount of \$ 341,229.40 that is not appropriated as part of the final budget shall be retained as an exception to the final appropriations in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

MAY 12, 2020

RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individual:

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Jennifer Donovan 509 S Euclid Ave Westfield, NJ 07090	T-05-600- 071 Tennis/Rec	Refund Program Canceled Spring Field Hockey Grades 3-5 Bailey Donovan	\$90.00
Gary Wiedman 630 Raymond Street Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Refund Program Canceled (pro-rated) Spring Volleyball Grades 7 & 8 Chloe Wiedman	\$125.00
Kenneth Welsh 638 Scotch Plains Ave Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Refund Program Canceled (pro-rated) Spring Volleyball Grades 3-6 Logan Welsh	\$125.00
Donald Cymbor 817 Sherbrooke Drive Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Refund Program Canceled (pro-rated) Spring Volleyball Grades 3-6 Kathryn Cymbor	\$125.00
Shubhro Bose 30 Tamaques Way Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Refund Program Canceled Jr Tennis/Spring-Hot Shots/Thu- 4:30 (\$77) Jr. Tennis/Spring-Hot Shot/Thu-4:30 (\$77) Shreya & Aanya Bose	\$154.00
Michelle Weinberg 1003 Boynton Ave Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Refund Program Canceled Jr. Tennis/Spring-Level 2/Thu - 5:30 Melissa Weinberg	\$118.00
Caroline Sommer 713 Scotch Plains Ave Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Refund Program Canceled Jr. Tennis/Spring-Pee Wee/Thu - 4:00 Luke Sommer	\$77.00
Van Huynh 219 Seneca Place Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Refund Program Canceled Jr. Tennis/Spring-Hot Shot/Sat - 9:30 (\$77) Jr. Tennis/Spring-Hot Shot/Sat - 9:30 (\$77) Curtis & Cara Huynh	\$154.00

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

MAY 12, 2020

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$35.40 to the order of New Jersey Department of Health, P.O. Box 369, Trenton, New Jersey for Dog Licenses issued by the Town Clerk for the month of April 2020.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

MAY 12, 2020

WHEREAS, the following applicant has posted monies to be held in escrow to cover expert advice and testimony in connection with Board of Adjustment and Planning Board applications on said property; and

WHEREAS, expert advice and testimony was given, and

WHEREAS, all bills for these applications have been submitted and paid; and

WHEREAS, the applicant has requested in writing to have the balance of escrow monies be released to them;

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is authorized to draw a check for the balance of the escrow monies as follows:

App #	Name	Address	G/L	Refund Balance
BOA 19-46	James & Denise Harper	1404 Boulevard	0-05-560-778	\$196.51
Return to:	James & Denise Harper	1404 Boulevard	Westfield NJ	07090

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

MAY 12, 2020

RESOLVED that the Chief Financial Officer be, and he hereby is authorized to draw warrants to the following persons, these amounts being overpaid for 2020:

Block/Lot/Qualifier		Quarter/Year
<u>Name</u>	<u>Property Address</u>	<u>Amount</u>
1206/6	626 Raymond Street	2 nd /2020
ELSABEE, Joseph H & Lauren M		\$4,843.95

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

MAY 12, 2020

RESOLVED that the Treasurer be and he hereby is authorized to draw warrants to the order of the following persons, this being the amount taxes were overpaid for the years 2013, 2015-2018 pursuant to the Tax Court of New Jersey:

Block/Lot

<u>Name</u>	<u>Address</u>	<u>Year</u>	<u>Amount</u>
1701/7	50 Cardinal Drive	2013	\$53,983.25
ACL Real Estate (USA) LLC		2015	\$49,695.98
Check payable and mail to:		2016	\$55,573.50
Michael A. Vespasiano, Attorney Trust Account		2017	\$59,248.37
331 Main Street		2018	<u>\$59,789.01</u>
Chatham, NJ 07928			\$278,290.11

TOWN OF WESTFIELD
RESOLUTION
2020

FINANCE POLICY COMMITTEE

MAY 12, 2020

WHEREAS, a condition has arisen with respect to either funds being needed for salaries and wages and/or contracts, commitments or payments being due to various vendors prior to the adoption of the 2020 Budget, and no provision was made in the 2020 Temporary Budget for the aforesaid purposes, and

WHEREAS, N.J.S.A. 40A:4-20 provides for creation of an emergency temporary appropriation for said purpose, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2020 pursuant to the provisions of N.J.S.A. 40:4-20 (Chapter 96, P.L. 1951, as amended) including this resolution total \$11,876,174.00 for the Current Fund and \$46,000.00 for the Swimming Pool Utility Fund,

NOW, THEREFORE, BE IT RESOLVED that in accordance with N.J.S.A. 40A:4-20:

1. The emergency temporary appropriations listed below will be provided for in the 2020 Budget under the titles shown and for the amounts given as follows:

Current Fund

	Salaries & Wages	Other Expenses
Administrative & Executive	14,000.00	28,000.00
Town Clerk	4,000.00	2,000.00
TV 36	-	-
Collection of Taxes	3,000.00	1,000.00
Assessment of Taxes	4,000.00	(100.00)
Financial Administration	7,000.00	-
Legal Services & Costs	-	65,000.00
Municipal Court	-	-
Municipal Prosecutor	-	-
Engineering Services	12,000.00	-
Public Works	96,000.00	185,000.00
Public Buildings & Grounds	-	47,000.00
Fire Department	74,000.00	36,000.00
Fire Official	4,000.00	-
Fire Hydrant Service	-	86,000.00
Parking Administration	5,000.00	-
Police Department	125,000.00	88,000.00
Crossing Guards	-	-
Emergency Management	-	-
Inspection of Buildings	8,000.00	-
Planning Board		3,000.00

Telephone		42,000.00
Electricity		-
Street Lighting		46,000.00
Water		2,000.00
Gasoline		-
Heating Gas		9,000.00
Board of Health	1,000.00	5,000.00
Board of Health (Contractual)	-	-
Recreation	3,000.00	-
Celebration of Public Events		-
Maintenance of Free Public Library		210,000.00
Animal Control		4,000.00
Board of Adjustment		-
Group Insurance		1,360,000.00
Other Insurance		-
Social Security System (OASI)		158,000.00
Debt Service – DBIZ Loan		-
Subtotal	360,000.00	2,376,900.00

In the total amount of \$2,736,900.00

Swimming Pool Utility Fund

	Salaries & Wages	Other Expenses
Swimming Pool Operations	-	-
Public Employees Retirement System (PERS)		-
Social Security (OASI)		-
Subtotal	-	-

In the total amount of \$0.00

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

CODE REVIEW & TOWN PROPERTY COMMITTEE

MAY 12, 2020

**RESOLUTION OF THE TOWN OF WESTFIELD, COUNTY OF UNION,
STATE OF NEW JERSEY, DELINEATING AN AREA IN NEED OF
REHABILITATION**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “**Redevelopment Law**”) provides a mechanism to empower and assist local governments to promote the advancement of community interests through programs of redevelopment for the expansion and improvement of commercial, industrial, residential and civic facilities; and

WHEREAS, the Redevelopment Law empowers the Town of Westfield (the “**Town**”), by and through its Mayor and Council (the “**Governing Body**”), to delineate an area within the Town as an area in need of rehabilitation if the area qualifies under one of the criteria enumerated under *N.J.S.A. 40A:12A-14*; and

WHEREAS, Town Planner, Donald B. Sammet, PP/AICP, and Town Engineer, Kris McAloon, PE, had been directed to investigate whether the properties set forth by block, lot and street address attached hereto as Exhibit A (the “**Study Area**”) qualified as an area in need of rehabilitation pursuant to the Redevelopment Law; and

WHEREAS, Mr. Sammet and Mr. McAloon prepared a report entitled “*Downtown Westfield Area in Need of Rehabilitation Study*” dated March 25, 2020 which is attached hereto as Exhibit B (the “**Study Report**”); and

WHEREAS, the Study Report concludes that because a majority of water and sewer infrastructure in the Study Area is at least 50 years old and is in need of repair or substantial

maintenance, the Study Area qualifies as an area in need of rehabilitation under the Redevelopment Law; and

WHEREAS, on April 14, 2020, the Governing Body referred the Study Report and this Resolution in draft form to the Planning Board for review and comment; and

WHEREAS, on May 4, 2020, the Planning Board returned this resolution and Study Report with a recommendation that the Study Area be delineated as an area in need of rehabilitation; and

WHEREAS, the Governing Body finds it to be in the best interest of the property owners and business owners within the Study Area to delineate the Study Area as an area in need of rehabilitation, and that based upon the Study Report and the Planning Board's recommendation, finds that the Study Area meets the criteria of *N.J.S.A. 40A:12A-14* of an area in need of rehabilitation;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Westfield, County of Union, and State of New Jersey, as follows:

1. Based upon the facts reported in the Study Report and the recommendation of the Planning Board, the Mayor and Council find that the Study Area, consisting of all of the properties depicted on the attached Exhibit A in the Town of Westfield, meets the eligibility criteria of *N.J.S.A. 40A:12A-14.a(6)* in that a majority of the water and sewer infrastructure in the Study Area is at least 50 years old and is in need of repair or substantial maintenance, for designation as an area in need of rehabilitation, and further finds that the designation of the Study Area as an area in need of rehabilitation is expected to prevent further deterioration and promote the overall development of the Town of Westfield in accordance with the requirements of *N.J.S.A. 40A:12A-14*.

2. The Mayor and Council hereby delineates the Study Area as depicted in Exhibit A, and all of the properties therein, as an area in need of rehabilitation (hereinafter, the Study Area shall be the “**Rehabilitation Area**”), which delineation allows the Mayor and Council to, among other things, adopt redevelopment plans for all or part of the Rehabilitation Area, enter into redevelopment agreements with redevelopers within the Rehabilitation Area, and adopt an ordinance pursuant to *N.J.S.A. 40A:12A-21, et seq.*, authorizing short-term tax exemptions and/or abatements to properties located within the Rehabilitation Area.

3. The Mayor and Council hereby directs the Town Clerk to transmit a copy of this Resolution to the Commissioner of the Department of Community Affairs in accordance with the Redevelopment Law.

4. All Town officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

5. This Resolution shall take effect immediately.